

WAUKESHA COUNTY
MINUTES FOR THE PARK AND PLANNING COMMISSION
THURSDAY, JANUARY 22, 2009, 1:00 P.M.
ADMINISTRATION CENTER, ROOM AC 255/259

CALL TO ORDER

The meeting was called to order at 1:00 p.m. by Pat Haukohl, Chairperson of the Waukesha County Park and Planning Commission.

Waukesha County Park and
Planning Commission Members
Present:

Pat Haukohl, Chairperson
Bonnie Morris
Bob Peregrine

Gary Goodchild
Jim Siepmann

Walter Kolb
Bill Mitchell

Commission Members
Absent:

None

Waukesha County Land Use,
Parks and Environment
Committee Members Present:

Fritz Ruf, Chairperson (left at 4:30 p.m.)
Jim Jeskewitz (left at 4:30 p.m.)
Janel Brandtjen (left at 2:35 p.m.)

Ted Rolfs
Walter Kolb
Gilbert Yerke

Waukesha County Land Use,
Parks and Environment
Committee Members Absent:

Rob Hutton

Staff Members Present:

Dale Shaver, Director, Dept. of Parks and Land Use
Richard L. Mace, Planning & Zoning Manager
Duane Grimm, Park System Manager
Kathy Brady, Secretary Supervisor
Mark Mader, County Board, Chief of Staff
Ann Olson, Legislative Policy Advisor
Jason Fruth, Senior Planner
Sandy Scherer, Senior Planner
Rich Bolte, Department of Public Works
Gary Evans, Department of Public Works
Jerry Braatz, UW Extension

Guests Present:

Jamie Rybarczyk
Jerry Neqman
Dennis Wenger
Gregory Good
Mark Dieball
Don French
Susan Mann
Betsy Foss-Campbell
Ruth Rademan
Claire Peiffer
Craig Caliendo
Heather Mcguire

William Zaborowski
Kori Schneider
Barbara Good
Alvin Dieball
Russ Evans
Mark Peschel
Bruce Kaniewski
Julie Burris
Daniel Szczap
Don Johnson
Debra Schneider
Pamela Meyer

Heather Dummer Combs	Bill Duckwitz
Glen Lewinski	Steve Crandell
Jessi Balcom	Dave Swan
Wallace Thiel	

CORRESPONDENCE:

Correspondence dated January 21, 2009, from Brian Paff, Town of Vernon

MEETING APPROVALS:

Waukesha County Storm Water BMP Design and Installation Workshop, Wednesday, March 11, 2009, Ruekert and Mielke, 7:30 a.m. to 4:00 p.m.

Mrs. Morris moved, seconded by Mr. Peregrine, and carried unanimously, to approve, the Commission members attendance at the Waukesha County Storm Water BMP Design and Installation Workshop, at Ruekert and Mielke on March 11, 2009, 7:30 a.m. to 4:00 p.m.

MINUTES:

None.

PUBLIC COMMENT

Chairperson Haukohl asked if anyone from the audience wished to address the Commission?

Three people spoke regarding the Housing Chapter of the Plan. Their comments are summarized below:

- A housing trust fund should be implemented.
- Strengthen the language in the Housing Chapter.
- Concerns for the community and area employers, regarding not having enough workers to fill positions because there is not enough affordable housing in Waukesha County and the need for workers to live long distances away from their employment.

There being no additional public comments, she moved to the next item on the agenda.

SCHEDULED MATTER

1:00 p.m. Comprehensive Development Plan Update Presentation

Mr. Shaver's power point presentation included an in-depth overview of the updating process for the Comprehensive Development Plan – 2035. Topics presented included:

- Comprehensive Planning Law
- Public participation
- Trends in growth, racial composition, median age, personal income and population.
- Water supply
- Cultural resources
- Business development
- Employment projections
- Housing strengths, units and cost burden
- Planning standards and objectives
- Transportation planning

- Land use planning process
- Key outcomes/issues
- Park and Open Space Plan
- Plan Adoption

Chairperson Haukohl inquired as to how much influence the County has in the setup of TIFs, specifically referring to the statement in Chapter 5, Housing, Page 5-46, that municipalities should consider using TIFs for the redevelopment of properties to higher density residential uses to meet affordable housing needs? Mr. Shaver replied, when a TIF is set up, (by law) the County has a designated representative that serves on the local TIF Board. In Waukesha County, the Director of Administration is the representative and the scope of review is on the financial composition of the TIF. Chairperson Haukohl clarified, that the County has the right to encourage but does not have the ability to tell municipalities how to set up or allot a TIF.

Mr. Shaver pointed out that the power point presentation will be presented to the Waukesha County Board of Supervisors at their January 27, 2009, meeting. The Land Use, Parks and Environment Committee will discuss and act on the Plan at their February 17, 2009, meeting and the County Board will discuss and act on the Plan at their February 24, 2009, meeting.

- **Consider Update to the “Comprehensive Development Plan for Waukesha County” and 2009 Amendment Requests:**

Chairperson Haukohl suggested the Commission and Committee review each chapter, ask questions, discuss concerns and if necessary make revisions/changes.

Chairperson Haukohl suggested the following change in Chapter 2 regarding the definition of green space to be used for planned unit and conservation developments:

- Chapter 2, Page 2-32, add the following language to the Agricultural, Natural and Cultural Resources Objective No. 3, under Standards:
 - f. Where open space is mentioned as part of a conservation design residential planned unit development, said open space shall be protected as green or natural open space and no more than five (5) percent of said open space area shall be allowed to have impervious surfaces.
- Chapter 7, Page 7-35, add following language:
 - 5. Where open space is mentioned as part of a conservation design residential planned unit development, said open space shall be protected as green or natural open space and no more than five (5) percent of said open space area shall be allowed to have impervious surfaces.
- Chapter 9, Page 9-10, add the following language:
 - 5. Where open space is mentioned as part of a conservation design residential planned unit development, said open space shall be protected as green or natural open space and no more than five (5) percent of said open space area shall be allowed to have impervious surfaces.

- Chapter 9, Page 9-11, add the following language:

Finally, where open space is mentioned as part of a conservation design residential planned unit development, said open space shall be protected as green or natural open space and no more than five (5) percent of said open space area shall be allowed to have impervious surfaces.

Chairperson Haukohl moved, seconded by Mr. Siepmann, and carried unanimously, to approve, the above amendments to the text of the Plan.

There was discussion regarding housing trust funds and the request from local organizations and speakers to change the language in the plan from “The County should” to “The County must or will work with municipalities to study the feasibility of an affordable housing trust fund to assist in meeting the projected employment housing needs.” Mr. Mitchell said his interpretation was the local municipalities and/or groups such as the CDGB would need to explore this idea. Mr. Shaver clarified the Staff felt they could not revise the language in the plan because there are a number of issues and research which would need to be explored/evaluated. In addition, it would have to be decided where the funding source would come from to pay for this type of program. Chairperson Haukohl suggested that at a later date, the Staff could prepare a presentation for the Commission on housing trust funds, specifically addressing how they are used in other communities, do they work and what are the weaknesses and strengths so the Commission has a better understanding of what housing trust funds are and how they are used.

Mr. Peregrine commented that the Housing Chapter does not define affordable housing as to how it will be implemented, the location of where to find affordable housing (example, where sewer and municipal services are available) and where denser zoning is appropriate. Mr. Shaver indicated he would add text to Chapter 5, Page 5-48, under Land Use Regulation, clarifying Mr. Peregrine’s request. Chairperson Haukohl asked if the additional text could be e-mailed to the Commissioners for their review, to which Mr. Shaver replied, “Yes.”

Mr. Shaver suggested the following additional amendments to the text:

- Chapter 3, Page 3-15, clarify language in paragraph regarding groundwater recharge submitted by Bob Biebel, from SEWRPC.
- Chapter 5, Page 5-48, change “Land Use Regulation” to “Land Use Regulation and Other Considerations” and clarify the land use regulatory jurisdiction of Waukesha County and add additional text explaining how density increases can affect housing affordability as follows:
 3. Several of the housing recommendations may be implemented using municipal land use regulations. Waukesha County’s land use regulations apply only to the Towns of Genesee, Oconomowoc, Ottawa or Vernon; and the shoreland/floodland areas (generally within 1,000 feet of a lake or 300 feet of a stream), in all of the Towns, which only covers certain unincorporated areas in the County and should only encourage other jurisdictions to incorporate such requirements. In addition, Waukesha County is an approval or objection agency on proposed subdivision plats and certified surveys, limited to the review authority granted under s.236 Wisconsin Statutes.

4. The rising cost associated with the purchase and development of land for building sites has a significant impact on the increasing prices and reduced affordability of housing. In addition, occupancy costs (distances to employment, shopping, education and other community services; transportation costs) indirectly affect the affordability of housing. The Housing and Land Use planning standards and objectives, presented in Chapter 2 of this Plan, seek to provide affordable housing by calling for increased residential densities on municipal services (sewer, water and transportation alternatives), and in close proximity of employment, education, shopping and other community services. Cities and villages traditionally provide planned municipal sewer, water and public transportation, accommodating higher densities.

Mrs. Morris moved, seconded by Mr. Peregrine, and carried unanimously, to approve, the additional amendments to the text of the Plan, as set forth above.

Chapter 8 – Transportation (Realignment of C.T.H. “KE”)

Chairperson Haukohl pointed out the Staff’s recommendation is for the proposed realignment of C.T.H. “KE” to be the southern route rather than the original northern route. Mr. Siepmann recused himself from voting on this particular issue due to a possible conflict of interest. He would like to stay for the presentation, but would leave the room for the deliberation and vote. Mr. Mace clarified that the Comprehensive Development Plan Advisory Committee, with the Staff’s recommendation, changed and approved the proposed realignment of C.T.H. “KE” (southern route). Mr. Mace pointed out on the aerial photograph the north and south realignment routes.

Mr. Shaver presented an overview/chronology of the C.T.H. “KE” realignment issue. He explained the “Regional Transportation System Plan for Southeastern Wisconsin: 2010”, Map 139, “Proposed Jurisdiction of Arterial Streets and Highways Included in the Recommended Regional Transportation Plan as Applied to Waukesha County” delineated the realignment of C.T.H. “KE” to the north of C.T.H. “K”. During the Year 2002 Amendments to the Waukesha County Development Plan, the Village of Hartland and the Town of Merton requested the Jungbluth property (north of C.T.H. “K”) be amended from the Rural Residential Density and Other Agricultural Lands and the Suburban II Density Residential categories to the Low Density Residential category, for a residential subdivision served with municipal services from the Village of Hartland. The realignment of C.T.H. “KE” was a major issue of discussion, however, the Planning and Zoning Division Staff indicated it was not germane to the amendment of the land use category of the property. The Resolution adopting the amendments in 2002 included a condition stating “The realignment of C.T.H. “KE” shall remain as presently located on the Street and Highway Width Map.”

Mr. Rolfs asked why any realignment is being contemplated? Mr. Evans, from the Waukesha County Department of Public Works (DPW) replied, because there is a disconnect where C.T.H. “KE” intersects with C.T.H. “K”. C.T.H. “KE” then continues to the north after a jog to the east. He stated that both intersections are very dangerous, and noted there has been a number of accidents and a fatality at the intersections. Mr. Rolfs asked if there is more traffic at the intersections than 15 years ago? Mr. Evans replied, “Yes”, there are more subdivisions and development in the area. Mr. Rolfs asked if the development in the area is the primary cause of the issue of realignment? Mr. Evans responded that it has always been good transportation planning not to have such disconnects, but development in the area is bringing this issue to a head now. He indicated, it is not in the Department of Public Work’s five year or

unofficial ten year plan to do anything, however, the DPW would like to have the corridor set aside. Mr. Mitchell asked if there is a corridor currently in the plan showing the northern route? Mr. Evans replied, “Yes.”

Mr. Kolb asked if there was a Border Agreement in conjunction with this issue? Mr. Thiel, Village of Hartland Administrator, indicated there were several ongoing discussions at that time with the Town of Merton about a Border Agreement, however, it ultimately failed. The discussions did not result in an agreement but rather, a joint plan for the development of the area (including the C.T.H. “KE” realignment). The Village of Hartland and Town of Merton each adopted a Development Plan for the immediate vicinity which includes properties to the north of C.T.H “K”. Mr. Kolb questioned, if the speed limit was reduced would it meet the roadway criteria so it could be considered a safe intersection? Mr. Shaver asked if he could continue with the overview and save any questions for the end. The Commission agreed. Chairperson Haukohl clarified that the corridor is currently placed on a map aligned to go to the north and anyone who decided to purchase property or build a house would see the north alignment on the map. Mr. Shaver replied, “Yes.”

The Village of Hartland and the Town of Merton requested the DPW conduct an analysis of the proposed realignment of C.T.H. “KE” and noted that both the Town and Village favored the south route. The analysis took place in fall 2002 until spring 2003, and concluded that the realignment in the “Regional Transportation System Plan: 2010” was not based on any detailed site analysis. The DPW evaluated several alternate realignments, both north and south of C.T.H. “K”, based on site conditions, topography, road alignment standards for safety and other road placement issues. Preliminary estimates indicated the alignment to the north would cost approximately \$1 million more than the south alignment. Public informational meetings were held in the area in February 2003 regarding the C.T.H. “KE” realignment.

During the Year 2003 Amendments to the Waukesha County Development Plan, there were no amendments that impacted this area. The County Board introduced an amendment to the Waukesha County Development Plan to reaffirm that the 2002 action should carry forward (north alignment).

Specifically the language stated:

“Any proposed development within the boundaries of the property must be consistent with a realignment of C.T.H. “KE” and shall be north of the current C.T.H. “K” and proceeds through property west of the current Winkleman Road (C.T.H. “KE”) until it merges into the existing Winkleman Road (C.T.H. “KE”).”

He added that in early 2003, the Town of Merton changed its position retracting its 2002 resolution, and now supported the realignment to the north. The Town indicated they felt the cost would be higher to construct the alignment to the south but offered no analysis to justify that opinion.

In the Regional Transportation System Plan for Southeastern Wisconsin: 2035, Map 110 (page 418) “Functional Improvements to the Arterial Street and Highway System in Waukesha County: 2035 Recommended Regional Transportation System Plan” and Map 117 (page 428) “Recommended Jurisdictional Highway System Plan for Waukesha County: 2035,” it delineated the realignment of C.T.H. “KE” to the south of C.T.H. “K”. The south realignment was based on input from the Village of Hartland and the draft analysis under preparation by the DPW. Chairperson Haukohl asked if a cost comparison was

done? Mr. Rolfs asked if the Town of Merton had input on the south realignment decision? Mr. Shaver replied that he was unsure.

During the update of the 1996 Waukesha County Development Plan, the realignment of C.T.H. “KE” was recommended by the Land Use, Housing and Transportation Element Subcommittee at their October 23, 2007, meeting and approved by the Comprehensive Development Plan Advisory Committee at their October 25, 2007, meeting. The recommendation was based on the analysis conducted by the DPW as well as to be consistent with the Regional Transportation Plan: 2035. Mr. Kolb asked why the entities didn’t respect what the Park and Planning Commission and County Board decided on this issue in 2003 (the north alignment)? Mr. Shaver responded, when the Land Use, Housing and Transportation Subcommittee addressed this issue, they discussed the history of the realignment and the analysis that was in process in 2002/2003 (which was never completed because of the County Board’s action in 2003). Mr. Kolb said there was a completed study done on this issue for the Village of Hartland at their request and paid for by the Village. Mr. Thiel said he did not recall the Village of Hartland paying for any study. The Village had access to the draft study done by the DPW. He added, that his public works director at that time, did an analysis which tended to indicate support for this conclusion. Mr. Shaver reiterated that the report by the DPW was never completed and published because of the County Board’s action in 2003. He believed this is the report Mr. Kolb is referring to. Mr. Mader, Chief of Staff, said it may be possible the County Board’s position on the realignment to the north never made it to SEWRPC or the transportation planners and was not reflected in their mapping.

Mr. Shaver pointed out that the current Waukesha County Comprehensive Development Plan matches the 2035 Regional Transportation Plan and calls for the realignment of C.T.H. “KE” to the south. The DPW has a long-term highway improvement projects list, which contains projects that may be initiated within the next 10 years. Improvements are introduced over time as part of the County capital projects plan and with County Board approval, funding is earmarked for projects over a five-year period. The realignment of C.T.H. “KE” is not part of the DPW’s long term projects list or the Waukesha County capital projects plan. It is projected that the realignment project will not occur within the next 15 years. However, there may be safety issues which need to be addressed due to development occurring in the area.

Mr. Evans further explained that the DPW looked at all of the different alternate options for the realignment (north, south, no change, etc.). Of particular concern to the west of the intersection of C.T.H. “KE” and C.T.H. “K”, there is an abrupt, steep hill by the water tower and site distance is very limited. There are also site distance problems to the west at Winkleman Road. Between 2004 and 2006, there were 16 accidents at the two intersections and between 2006 and 2008 there were nine accidents and one fatality. Mr. Kolb asked if a roundabout was considered? Mr. Evans replied, there are still problems with approach alignments. Mr. Kolb said many people absolutely do not want their property impacted by the south realignment route. He felt there should be a way to accommodate the property owners. Mr. Rolfs pointed out that the person who purchased the property to the north was expecting the realignment to go through the property when he bought it because it was mapped as such. Mr. Mitchell asked if stoplights are being considered at the current time? Mr. Evans replied, the rates (accidents) are not above the line. He indicated the DPW is looking at constructing a bypass lane at Jungbluth and Winkleman Roads.

Mr. Shaver said in his opinion, the alignment of C.T.H. “KE” to the north of C.T.H. “K”, based on research he has done, was not mapped with enough forethought. However, it was done, and land use decisions were made based on the north alignment which makes it problematic. When the Chapter text was approved at

the Subcommittee meeting, representatives from the Village of Hartland and Town of Merton were in attendance, but perhaps some were not paying attention. He stressed that decisions in land use should be made with technical and professional input, however, he felt during the process in 2002/2003 it was not the case. Subsequently, when the County Board took its action in 2002 on the alignment with the Jungbluth plan amendment, the DPW had not started an analysis of the alignment. In 2003, when the study was in process, the County Board discussed the matter without knowing that the DPW had drafted an analysis and was organizing public informational meetings. The Commission's decision on this matter should be based upon the history and whether or not the additional public investment is worth the expense.

Mr. Evans further explained because of grading and reconstruction to C.T.H. "K" and retaining walls to protect the water tower, the north route would add approximately \$1 million dollars more to the cost of the project than going with the south alignment. He added there is also a residence which would have to be relocated.

Mrs. Morris said based on the facts presented to the Commission, the decision should be made on professional and technical input. She agreed with the Staff's recommendation that the alignment be to the south. Mr. Mitchell said he respects the Staff and their information, however, the decision made in 2003 affected individuals who based decisions on the north alignment and that also should be taken into consideration. He felt the north alignment should stay as currently mapped. Mrs. Morris asked how often is the Development Plan updated, to which Mr. Shaver replied the plan calls for an annual amendment process and the next comprehensive update is 2035. Mr. Goodchild mentioned that the road could be built in either location, however, there is additional costs for the north alignment. He wondered as development occurs, do developers contribute funds for the improvement of county roads? Mr. Evans said in this case it would make developing the land prohibitive. Chairperson Haukohl added that the person who purchased the land to the north knew the road alignment would go to the north. The decision was made and reaffirmed by the County Board in 2003 for the north alignment. She support t he 2003 decision (north alignment). She did not think it was fair for people who purchased land or made decisions according to the map alignment to now have it changed. Mr. Jeskewitz added that in his community, developer's pay for stoplights, turning lanes and to widen highways. Mr. Thiel noted if the intersection is built for a north alignment it is quite probable that a sanitary sewer will be buried in it and the depth it would be buried at will present some significant maintenance problems down the road.

Mr. Kolb moved, seconded by Mr. Mitchell, to approve the following amendment to the Plan and was carried by a vote of 5 to 1 (Mrs. Morris voted "against" and Mr. Siepmann recused himself from voting on the matter due to a possible conflict of interest

- Chapter 8, Page 8-18, Map VIII-4 "Recommended Functional Improvements to the Arterial Street and Highway System in Waukesha County: Under the 2035 Regional Transportation System Plan" and Map VIII-5 on Page 8-19, "Recommended Jurisdictional Highway System Plan for Waukesha County: 2035" be amended in the proposed Comprehensive Development Plan for Waukesha County – 2035, to reflect the realignment contained in the Year 2003 amendments to the Waukesha County Development Plan as they related to the Village of Hartland (alignment of C.T.H. "KE" will remain the northerly route).

2009 INDIVIDUAL AMENDMENT REQUESTS

1. In the Town of Lisbon, the Villages of Lannon and Sussex and the City of Pewaukee, the following requests are being made:

- A. **Halquist Stone**, N51 W23563 Lisbon Road, Sussex, WI 53089, requests amendments on properties owned by others to the Extractive category.

Tax Key No.'s:

LANV 0067.965 Daily Express Incorporated	LSBT 0280.993.003 Wenger
LANV 0067.965.002 Daily Express Incorporated	LSBT 0280.993.004 Wenger
LANV 0071.988 Cawley	LSBT 0280.994.003 Wenger
LSBT 0248.976 H & H Enterprises	LSBT 0280.994.004 Wenger
LSBT 0248.980 Schmit	LSBT 0280.994.005 Wenger
LSBT 0248.983 H & H Enterprises	LSBT 0280.995 Niessen
LSBT 0248.983.001 H & H Enterprises	LSBT 0280.996 Osterman and Benka
LSBT 0248.983.002 Town of Lisbon	LSBT 0280.996.001 Osterman
LSBT 0248.984 Breitenbach Schmit	PWT 0869.999.002 City of Pewaukee
LSBT 0249.891 JKO Enterprises LLC	SUXV 0248.983.003 Schmit Trucking Inc.
LSBT 0280.993 Scott/Ladwig	SUXV 0248.983.004 Schmit Trucking Inc.
LSBT 0280.993.001 Wenger	LSBT 0280.995 Niessen
LSBT 0248.983.005 Schmit Trucking Inc.	

It was the consensus of the Commission that since the above properties are owned by property owners other than Halquist Stone and those property owners did not submit specific requests or signed applications and the municipalities have not reviewed or taken specific action on any of the parcels listed, that no action be taken on this request.

After a brief discussion, Mrs. Morris moved, seconded by Mr. Peregrine, to deny the request by a vote of 6 to 0 (Mr. Siepmann abstained from voting due to a possible conflict of interest), in accordance with the “Staff Report and Recommendation.”

- B. **David and Denise Wenger**, W244 N4880 Swan Road, Pewaukee, WI 53072, requests property located in Section 34 of the Town of Lisbon (Tax Key No.'s LSBT 0280.993.004-Dennis and Denise Wenger, LSBT 0280.994.003-David Wenger and LSBT 0280.994.004-Daniel Wegner), south of C.T.H. “K” and east of Swan Road be amended from the Low Density Residential and the Primary Environmental Corridor categories to the Extractive and Rural Density and Other Agricultural Lands category.

Mr. Mace indicated that although the Planning and Zoning Division Staff does not necessarily disagree with the proposed request, due to the fact that the request was not reviewed or acted on by the Town of Lisbon, the Staff’s recommendation is for denial.

After a brief discussion, Mr. Peregrine moved, seconded by Mr. Goodchild, to deny the request by a vote of 6 to 0 (Mr. Siepmann abstained from voting due to a possible conflict of interest), in accordance with the “Staff Report and Recommendation.”

- C. **Ausblick, Inc.**, requests that their property located in the SE ¼ of Section 20 of the Town of Lisbon, (Tax Key No. LSBT 0257.999.001), be amended from the Rural Density Residential and Other Agricultural and Open Lands, Low Density Residential, Other Lands to be Preserved and Isolated Natural Resource Area categories to the Recreational category.

Mr. Mace indicated the property was recently acquired to develop and expand the existing ski hill facility and to accommodate a new lodge which has recently been built on the property.

After a brief discussion, Mrs. Morris moved, seconded by Mr. Mitchell, and carried by a vote of 6 to 0, (Mr. Siepmann abstained from voting due to a possible conflict of interest) for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request will allow the petitioner a reasonable use of his land and still promote and meet the intent and purposes of all County Ordinances.

2. In the Town of Vernon, the following requests are being made:

- A. **James Briggs**, S78 W26840 Hillview Drive, Mukwonago, WI 53149, requests that property located in the SW ¼ of the SW ¼ of the Section 8, Town of Vernon, (Tax Key No. VNT 2047.991) be amended from the Rural Density Residential and Other Agricultural Lands category to the Suburban I Density Residential (SDRI) category.

Mr. Mace indicated the property is located adjacent to the Falcons View Subdivision in the Town of Vernon. The petitioner is proposing to continue the subdivision on the 19.5 acre property with access via Alpin Lane. The Town Plan Commission and Town Board have both approved the request.

After a brief discussion, Mr. Siepmann moved, seconded by Mr. Peregrine, and carried unanimously, for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request will allow the petitioner a reasonable use of his land and still promote and meet the intent and purposes of all County Ordinances.

- B. **The Town of Vernon Board**, requests property owned by Ann Racine and Jeff Duvernell, located in the SE ¼ of Section 18, Town of Vernon adjacent to Johnson Avenue and Hillview Drive, (Tax Key No. VNT 2088.997), be amended from the Rural Density and Other Agricultural Lands category to the Suburban II Density Residential (SDRII) category and property owned by the Norris Academy property (Tax Key No. VNT 2150.997), located in the NW ¼ of Section 34 and the SW ¼ of Section 27, on the south side of Forest Home Avenue be amended from the Rural Density and Other Agricultural Lands category to the Institutional category.

Mr. Mace pointed out the two requests were incorporated into the 2035 Comprehensive Development Plan and no further action is necessary.

3. In the Town of Waukesha, the following request is being made:

- A. **Bielinski Homes**, N16 W23377 Stone Ridge Drive, Waukesha, WI 53188, requests the property located in the NE ¼ of Section 1 of the Town of Waukesha, (Tax Key No. WAKT 1297.990.002), north of S.T.H. 59 (Arcadian Avenue) and west of Springdale Road be amended from the Low Density Residential category to the Medium Residential category.

Mr. Mace indicated that Bielinski Homes has been working with the Towns of Waukesha and Brookfield during the past year and have agreed to detach the property from the Town of Waukesha and attach it to the Town of Brookfield to be served with Town of Brookfield sewer and water services. In addition, the property has been included in the Brookfield-Elm Grove sanitary sewer service area through a recent amendment approved by SEWRPC the Town and the County.

After discussion, Mr. Kolb moved, seconded by Mr. Siepmann, and carried unanimously, for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request will allow the petitioner a reasonable use of his land and still promote and meet the intent and purposes of all County Ordinances.

Chairperson Haukohl pointed out on Exhibit “A” of the Staff Report and Recommendation (December 11, 2008, Public Hearing Minutes), that William Zaborowski should be listed under Waukesha County Board Members present. Mr. Mace indicated the correction would be made.

ORDINANCE

- **Update to the Comprehensive Development Plan for Waukesha County**

After discussion, Mr. Mitchell moved, seconded by Mr. Siepmann, and carried unanimously, for approval, of the Final Ordinance entitled “Adopt Waukesha County Comprehensive Development Plan -2035 and 2009 Comprehensive Development Plan Amendments”, as amended.

The Land Use, Parks and Environment Committee will vote on the Ordinance at their meeting of February 17, 2009.

ADJOURNMENT

With no further business to come before the Commission, Mr. Goodchild moved, seconded by Mr. Siepmann and carried unanimously to adjourn at 4:40 p.m.

Respectfully submitted,

Bonnie Morris
Secretary

BM:kb